

Environmental Quality Commission

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ENVIRONMENTAL QUALITY COMMISSION
14 REILLY ROAD
FRANKFORT, KENTUCKY 40601-1132

PAUL E. PATTON
GOVERNOR

July 17, 2003

The Honorable Paul E. Patton
State Capitol
Frankfort, KY 40601

Dear Governor Patton:

The Kentucky Environmental Quality Commission would like call your attention to the attached resolution passed at its July 15 public meeting.

The resolution pertains to an issue of utmost importance to the citizens of Kentucky – West Nile Virus. Kentucky has a West Nile program in place; however, there are a number of opportunities to improve state and local efforts.

The attached EQC recommendations are based on model efforts underway in a number of other states. For example, Michigan has an aggressive outreach program as well as a law that requires pre-notification of residents prior to the ground or aerial spraying of pesticides. Michigan is also taking steps to monitor adverse health effects of spraying through a hotline and data collection to ensure spraying is being conducted in compliance with state law.

We urge your strong consideration of the commission's attached findings and recommendations concerning West Nile Virus and Integrated Mosquito Management. We believe these are common sense measures that will lead to a more coordinated and effective program to minimize the transmission of this disease without posing unreasonable risk to human health and the environment.

The commission appreciates your attention to this important matter and we look forward to your response to these recommendations.

Sincerely,

A handwritten signature in cursive script that reads "Aloma W. Dew".

Aloma Dew, Chair
Environmental Quality Commission

cc: Ed Ford, Secretary, Governor's Executive Cabinet
Hank List, Secretary, Natural Resources and Environmental Protection Cabinet
Marcia Morgan, Secretary, Cabinet for Health Services
Billy Ray Smith, Commissioner, Department of Agriculture
Tom Bennett, Commissioner, Department of Fish and Wildlife Resources
Jody Lassiter, Commissioner, Department of Local Government

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ENVIRONMENTAL QUALITY COMMISSION
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KENTUCKY ENVIRONMENTAL QUALITY COMMISSION RESOLUTION
WEST NILE VIRUS AND INTEGRATED MOSQUITO MANAGEMENT
JULY 15, 2003

Whereas, state and local government agencies are the front line of defense in protecting public health from mosquito-borne diseases such as West Nile Virus, and

Whereas, in 2002, 693 birds tested positive for West Nile Virus in 101 counties and 75 human cases were confirmed in the state resulting in 5 deaths, and

Whereas, the World Health Organization indicates that the most effective and economical way of controlling mosquitoes is to eliminate or control breeding sites through larval source reduction before adult mosquitoes can transmit disease to humans and domestic animals, and

Whereas, the U.S. Environmental Protection Agency and the Centers for Disease Control encourage maximum adherence to Integrated Mosquito Management (IMM) to control these insects. IMM incorporates multiple facets such as surveillance, source reduction, larvicide use, biological control, public relations, education and where necessary adulticide use. IMM uses pesticides, but only after source reduction and larval control of pest populations have failed or if surveillance indicates a health threat posed by the presence of West Nile Virus, and

Whereas, the Kentucky Department for Public Health and the Kentucky Department of Agriculture have assumed the statewide responsibility of monitoring and controlling mosquitoes and West Nile Virus in Kentucky, and

Whereas, the state program to control mosquitoes relies greatly on the spraying of pesticides and there are no specific requirements in place to determine when and where spraying will occur, and

Whereas, a variety of pesticides are being used in Kentucky at the state and local levels to control adult mosquitoes including MosquitomistI, currently being used by the Department of Agriculture. The active ingredient of MosquitomistI is Chlorpyrifos, commonly known as Dursban. Dursban is an organophosphate insecticide which has been phased out for home use and has been identified as a hazard to both terrestrial and aquatic organisms and as an asthma trigger and a neurotoxin to human health, and

Whereas, no pesticide is 100 percent safe to public health and the environment and there are other more effective options to control mosquitoes in residential areas, and

Whereas, the threats and challenges posed by the West Nile Virus in Kentucky requires cooperation and partnership at all levels of government to put in place the appropriate measures to effectively control mosquitoes without posing unreasonable risk to human health and the environment.

Now, Therefore be it Resolved by the Kentucky Environmental Quality Commission:

1) The Governor establish by Executive Order a work group (composed of agriculture, environmental, fish and wildlife, public and community health officials, entomologists and other academic experts, and community interests) to develop a **Mosquito Management Strategy and Action Plan for the State of Kentucky** to include, at a minimum, the following:

- Adoption and implementation of an effective coordinated statewide Integrated Mosquito Management (IMM) Program and Action/Response Plan to control mosquitoes in Kentucky with priority on monitoring, surveillance, larval source control, education and outreach.
- An aggressive public outreach program and campaign (via internet, radio, television, hotline, flyers, educational materials,) to educate the public about mosquitoes and control methods.
- Evaluation of adulticides that are used to control mosquitoes in order to identify the least toxic to humans and the environment for use in Kentucky.
- A state procedure for when pesticides will be used, public notification requirements to include city, street and zip code, pesticides used and risks posed per label and Material Safety Data Sheets, guidelines to minimize exposure, opt out provision, health contacts, and the monitoring of compliance of spraying of pesticides in accordance with state law.
- A plan/procedure to evaluate the effectiveness of the state's Mosquito Management Strategy and Response Plan.

2) That the state establish a program of technical and financial assistance to counties, cities, local health departments or regional health districts to develop an Integrated Mosquito Management program in areas of greatest need to include the following:

- Emphasis on mosquito surveillance, larval source control, education and outreach.
- Public pre-notification requirements prior to spraying of areas — defined by neighborhoods/streets/zip codes (web site, newspaper, radio, mailings, educational materials, hotline, door flyers).
- Guidelines to reduce human exposure should spraying of pesticides occur.
- Consideration of a procedure/registry to allow a resident to request that their property not be sprayed.
- Health or other contacts (poison control) should adverse reactions to pesticide spraying occur.
- A listing of the larvicides and adulticides used, active ingredients, inert ingredients and health and environmental risks as provided on the label and in Material Safety Data Sheets.
- A plan for evaluating the effectiveness of mosquito management strategies.

3) That in the interim:

- The Department of Agriculture require those counties, cities, local health departments or regional health districts requesting the state spray adulticides to control mosquitoes have a plan to pre-notify the public about spraying including dates, areas to be sprayed (city, street, zip code), and guidelines to minimize human exposure to pesticides prior to the ground or aerial application of adulticides by the agency.
- The Department of Agriculture provide more specific information about its current mosquito control program via its Web site and a telephone hotline including the names, ingredients and risks posed by the adulticides and other pesticides used to control mosquitoes; treatment/application areas by city, street, and zip code; guidelines to minimize exposure; and contacts within the Department of Agriculture and Department for Public Health for more information.

That this resolution be forwarded to the Governor Paul Patton; Ed Ford, Secretary, Governor's Executive Cabinet; Hank List, Secretary of the Natural Resources and Environmental Protection Cabinet; Marcia R. Morgan, Secretary of the Cabinet for Health Services; Billy Ray Smith, Commissioner of the Department of Agriculture; Tom Bennett, Commissioner Department of Fish and Wildlife Resources; and Jody L. Lassiter, Commissioner, Department of Local Governments for review and action.

Signed



Date

July 15, 2003